

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

**SAVE THE MARKET ENTRANCE;
and THE NEWMARK BUILDING OWNERS
ASSOCIATION**

From a Decision of the Director, Seattle
Department of Construction and Inspections

Hearing Examiner File:
**MUP-20-003 (DR, S, V, W) &
MUP-20-004 (S, SE, V, W)**

Department Reference:
3028428-LU

**THIRD PREHEARING
ORDER AND ORDER
ON STAY**

On April 21, 2021, a hearing on motions to dismiss and a prehearing conference was held regarding this matter. The hearing/conference followed the Hearing Examiner issuing an Order on Motions to Dismiss on April 9, 2021 (“Order on Motions”). Attending the hearing/conference were: the appellants Save the Market Entrance, represented by Claudia Newman, attorney-at-law, and The Newmark Building Owners Association, represented by John T. Cooke, attorney-at-law (collectively herein “Appellants”); the City of Seattle (“City”), represented by Patrick Downs and Clara Park attorneys-at-law; and the applicant Jodi Patterson-O’Hare (“Applicant”) represented by Courtney Kaylor, attorney-at-law.

At the hearing/conference the parties agreed to a stay on these consolidated matters.

As a courtesy, the Applicant withdrew what remained of its prehearing Motion to Dismiss following the Order on Motions.

The Hearing Examiner hereby stays MUP-20-003 and MUP-20-004 until the Landmarks Preservation Ordinance process relating to the Project site or Project is complete and a new SEPA threshold determination for the Project has been issued. Any party may notify the Hearing Examiner once the Landmarks Preservation Ordinance process is complete and a new SEPA threshold determination has been issued to request that the stay be lifted.

If the Landmarks Preservation Ordinance process relating to the Project site or Project is not completed, and/or a new SEPA threshold determination for the Project has not been issued prior to Monday, November 29, 2021, the parties must contact the Hearing Examiner with a status report on that date by Noon to report the status of those efforts. At that time, the Hearing Examiner may determine if the stay should be continued, or if a new hearing or prehearing conference date needs to be scheduled.

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CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Third Prehearing Order & Order on Stay** to each person listed below, or on the attached mailing list, in the matters of **SAVE THE MARKET ENTRANCE, ET AL.**, Hearing Examiner Files: **MUP-20-003 (DR, S, V, W), MUP-20-004 (S, SE, V, W), & S-20-002** in the manner indicated.

Party	Method of Service
Appellant - MUP-20-003 Ruth Danner Save the Market Entrance.org 907-321-2283 ruth@dannerdata.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant Legal Counsel – MUP-20-003 Claudia M. Newman Bricklin & Newman, LLP 206-264-8600 newman@bnd-law.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant – MUP-20-004 H.M. Aronson The Newmark Building Owners Association 206-473-1100 hmaronson@mac.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant Legal Counsel – MUP-20-004 Donya W. Burns Houlihan Law, PC 206-547-0390 donya@houlihan-law.com John T. Cooke Houlihan Law, PC 206-547-1075 jt@houlihan-law.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

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Dated: April 28, 2021

/s/ Galen Edlund-Cho
Galen Edlund-Cho
Legal Assistant